

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

AMERICAN FEDERATION
OF TEACHERS; AMERICAN
FEDERATION OF STATE,
COUNTY AND MUNICIPAL
EMPLOYEES; WASHINGTON
STATE NURSES ASSOCIATION;
UNITED NURSES ASSOCIATION

Petitioners,

v.

U.S. OCCUPATIONAL SAFETY &
HEALTH ADMINISTRATION;
UNITED STATES DEPARTMENT
OF LABOR; SECRETARY OF LABOR

Respondents,

Civ. No. 20-73203

JOINT STATUS REPORT

Petitioners American Federation of Teachers, American Federation of State, County and Municipal Employees, Washington State Nurses Association, and United Nurses Association of California (collectively “Petitioners”) along with Respondent Occupational Safety and Health Administration (OSHA), U.S. Department of Labor, hereby submit this Joint Status Report.

1. This case is currently in abeyance pending OSHA's issuance of a health standard regulating occupational exposure to infectious diseases in the healthcare sector.

2. In the parties' June 30, 2023 joint status report (Dkt. # 44), the parties agreed to file another joint status report regarding developments in the case by September 29, 2023. Due to unforeseen circumstances beyond the parties' control, they have not been able to meet and confer to prepare this report. They therefore agree to file another joint status report by October 20, 2023.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 28, 2023, the foregoing document was filed with the Clerk of the Court via CM/ECF. I also certify that the foregoing document is being served this day on counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Jeffrey B. Dubner
Jeffrey B. Dubner